

19 May 1971

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting of the Employee Benefits Subcommittee of the House Post Office and Civil Service Committee

1. Today I attended a meeting of the Employee Benefits Subcommittee of the House Post Office and Civil Service Committee on legislation dealing with the invasion of privacy of Federal employees. In addition to Chairman Hanley (D., N. Y.) the following members were present for all or part of the testimony: Representatives Brasco (D., N.J.), White (D., Tex.), Wilson (D., Calif.), and Hogan (D., Md.).

2. Three witnesses gave testimony. Representative Galflankis (D., N.C.) made a brief statement in support of H. R. 7969. Robert E. Hampton, Chairman, Civil Service Commission presented the views of the Administration. Carl W. Clewlow, Deputy Assistant Secretary of Defense (Manpower and Reserve Affairs) gave the DOD position.

3. Portions of the question and answer period are of interest to the Agency.

Chairman Hanley: Does anyone other than CIA and NSA use the polygraph?

Hampton: No one except the FBI in certain cases. CSC has regulations prohibiting the use of polygraph unless a specific request is made to use it. Only two Agencies have asked for an exception. I will provide their names for the record.

Hogan: When we visited NSA recently, we were told the FBI uses the polygraph in investigative processes not in personnel procedures.

Rep. Wilson: I take it that you are really against the bill completely. Would you help us draft a good bill, correcting some of these errors.

Hampton: Yes, the Commission would be happy to help on any bill that fully meets both the needs of the Congress and employees.

Rep. Wilson: I think that there are already adequate provisions in the bill to take care of the requirements of national security. I agree that if you are going to take one out of the bill (FBI), it only makes sense to take all three (CIA & NSA) out of it too.

Hampton: They will make their presentations and I might say I believe they have meritorious arguments for their position. They do have special problems.

Hampton: If you wish Mr. Chairman, CSC will make a formal survey of the 25 largest Agencies for statistics on the types of grievances each receives and present it to the Subcommittee.

Chairman Hanley: The Subcommittee will appreciate that as it will help us gain perspective on the scope of the problem we face.

Rep. Wilson: I appreciate your comment on my bill. I will have my staff examine it to see if your recommendations fit in with our intentions. I don't want to cause any problems for the security agencies or DOD. Many of these people are in sensitive positions. How many intelligence agencies are there in DOD.

Clellow: We have ASA, NSA, DIA and each service has its own intelligence. A security review of DOD intelligence agencies is under way and I can make it available to the Subcommittee.

Rep. Wilson: I think we are getting away from the original purpose of CIA by having so many intelligence agencies. I think we should have it all in one. Why should each have its own, or are they cooperative.

Andrews: The Froehke review is underway and there has been a press item recently about an overall security review.

Rep. Wilson: Maybe if we exempt all three (CIA, NSA, FBI) we should exempt DOD. I'm not suggesting this but at least it makes good sense to do it.

Andrews: I'm glad you see that point, Sir. We agree with this and in some areas we would like the same latitude (as the other intelligence agencies).

4. In their concluding comments both Hampton and Clewlow offered the services of their Agencies to assist the Subcommittee in drawing up a bill that would be responsive to the needs and agreeable to all concerned.

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